

# EXHIBIT 83

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

MARVEL CHARACTERS, INC.

Plaintiff,

v.

MICHELE HART-RICO and  
BUZ DONATO F. RICO III,

Defendants.

MICHELE HART-RICO and  
BUZ DONATO F. RICO III,

Counterclaimants,

v.

MARVEL CHARACTERS, INC.  
and DOES 1-10, inclusive,

Counterclaim-Defendants.

VIDEOTAPED DEPOSITION OF MICHELE HART-RICO  
Los Angeles, California  
Thursday, February 2, 2023

Reported by:  
Damon M. LeBlanc  
CSR No. 11958  
Job No. 5695642

1 UNITED STATES DISTRICT COURT  
2 CENTRAL DISTRICT OF CALIFORNIA

3  
4 MARVEL CHARACTERS, INC. )

5 Plaintiff, )

6 v. )

7 MICHELE HART-RICO and )  
8 BUZ DONATO F. RICO III, )

9 Defendants. )

10 MICHELE HART-RICO and )  
11 BUZ DONATO F. RICO III, )

12 Counterclaimants, )

13 v. )

14 MARVEL CHARACTERS, INC. )  
and DOES 1-10, inclusive, )

15 Counterclaim-Defendants. )

16  
17 Videotaped deposition of MICHELE HART-RICO,  
18 taken on behalf of the plaintiff, at 1999 Avenue of  
19 the Stars, 8th Floor, Los Angeles, California,  
20 beginning at 9:46 a.m. and ending at 5:10 p.m.,  
21 Thursday, February 2, 2023, before  
22 Damon M. LeBlanc, Certified Shorthand Reporter,  
23 Number 11958.  
24  
25

1 APPEARANCES:

2 For the Plaintiff and Counterclaim-Defendant,  
3 MARVEL CHARACTERS, INC.

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23 Also Present:

24 Kevin Del Cid, Videographer  
25 Veritext Legal Solutions  
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VIDEO-CONFERENCE APPEARANCES:

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Also Present:

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## I N D E X

## THE WITNESS:

MICHELE HART-RICO

Examination by:

Page

MS. LENS:

10, 231

MR. TOBEROFF:

219

## E X H I B I T S

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Marked

Exhibit

Description

Exhibit 84

Entertainment Industry  
Book, How to Register Your  
Copyright & Introduction  
to New & Historical Copyright  
Law by Walter E. Hurst,  
Illustrated by Don Rico  
Bates-stamped

2021 MARVEL-0076414 to  
76720

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Exhibit 85

Inside The News, July 11  
Creator of Heroes  
Bates-stamped RICO-0010  
to 0014

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Exhibit 86

Flash drive containing  
video

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Exhibit 87

Don Rico remembered by  
Scott Shaw at CAPS  
transcript of video

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Exhibit 88

Defendant Michele Hart-Rico's  
Second Amended Responses and  
Objections to Plaintiff's  
First Interrogatories to  
Michele Hart-Rico

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14		Conducted by Dewey Cassell	
15		Date 06/24/12, 16 pages	
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1 and overbroad. Ambiguous.

2 THE WITNESS: Not specifically.

3 BY MS. LENS:

4 Q It's true, is it not, Ms. Hart-Rico,  
5 that your husband was quite appreciative of the  
6 life that he had been able to make working on  
7 comics for Marvel?

8 MR. TOBEROFF: Objection as to form. Lacks  
9 foundation.

10 THE WITNESS: That he was appreciative of  
11 the life?

12 BY MS. LENS:

13 Q That he had been able to build based  
14 on the money that he was paid working on Marvel  
15 comics?

16 A Not during the time that I knew him.

17 Q But you were aware that, prior to  
18 the time that you knew your husband, he had -- he  
19 felt that he had earned a good quality of life  
20 working for Marvel; did he not?

21 MR. TOBEROFF: Objection as to form. Lacks  
22 foundation. Calls for speculation.

23 THE WITNESS: I believe so.

24 BY MS. LENS:

25 Q His work -- as he said in published



1 interviews, his work for Marvel enabled him to have  
2 not only an apartment in the city but also a house  
3 outside city; right?

4 MR. TOBEROFF: Excuse me. Objection as to  
5 form. Compound.

6 THE WITNESS: Yes. He, as far as I know,  
7 did very well when he was in New York.

8 BY MS. LENS:

9 Q And you're aware that when he was in  
10 New York, prior to moving to L.A., he was doing  
11 majority of his work with Marvel; right?

12 MR. TOBEROFF: Objection as to form.

13 THE WITNESS: I don't know that. I don't  
14 know that for a fact.

15 MR. TOBEROFF: Objection as to form.

16 BY MS. LENS:

17 Q You're aware he was an editor with  
18 Marvel, are you not?

19 A I'm aware of that.

20 Q And you understand that he worked  
21 with Stan Lee as an editor at Marvel?

22 MR. TOBEROFF: Are you talking  
23 about -- just to be clear, are you talking about  
24 the 1950s?

25 MS. LENS: Talking about the time when he

1 Q Not to Black Widow?

2 A No, no. To Olga.

3 Q And so my question is different,  
4 which is that do you have any facts to -- other  
5 than the fact that they are both Russian, do you  
6 have any facts to support the assertion that the  
7 character Black Widow was inspired by Don Rico's  
8 first wife?

9 MR. TOBEROFF: Asked and answered. She  
10 just gave you some facts.

11 THE WITNESS: Just what I've already told  
12 you.

13 MS. LENS: Okay.

14 BY MS. LENS:

15 Q Are you familiar with the entity  
16 Magazine Management?

17 A I've heard the name.

18 Q What does it mean to you?

19 A It either is or was a part of  
20 Marvel. I'm fairly fuzzy on how that connected.

21 Q Is that understanding from your  
22 husband, Don Rico?

23 A Yes.

24 Q Did Don Rico have a studio in the  
25 1960s when you lived in New York?

1 A No. We had an enormous apartment.

2 Q I would like to turn your attention  
3 to -- I just lost it. Give me a moment.

4 Request Number 10, which is on page 19 and  
5 20. Actually, I'm sorry. We can stay on 15. It  
6 will make it easier.

7 In response to Request for Admission  
8 Number 2, we were on page 15.

9 A Okay.

10 Q You can see on line 20 it states:

11 "During this same time, communications  
12 between Rico and Stan Lee show that Rico was  
13 working on several projects on spec, which he  
14 pitched and/or intended to pitch to Marvel."

15 Do you see that?

16 A I see it.

17 Q And do you have an understanding of  
18 what communications are being referenced there?

19 A Probably phone or possibly lunch  
20 meetings.

21 Q Do you have any records of phones or  
22 lunch meetings?

23 A No.

24 Q And are you speculating, or you have  
25 knowledge that that is -- there were

Certification of Court Reporter

Federal Jurat

I, the undersigned, a Certified Shorthand Reporter of the State of California do hereby certify:

That the foregoing proceedings were taken before me at the time and place herein set forth; that any witnesses in the foregoing proceedings, prior to testifying, were placed under oath; that a verbatim record of the proceedings was made by me using machine shorthand which was thereafter transcribed under my direction; further, that the foregoing is an accurate transcription thereof.

That before completion of the deposition, a review of the transcript [X] was [ ] was not requested.

I further certify that I am neither financially interested in the action nor a relative or employee of any attorney of any of the parties.

IN WITNESS WHEREOF, I have this date subscribed my name.

Dated: February 16, 2023



Damon M. LeBlanc

CSR No. 11958